Memo Legis 50-42

1942-43 **Serial No.**

Previous references.

55-21-*

PRESERVED

Later references.

GR 8

Office of the Secretary to the Representative Assembly and Legislative Council

A

B for March 1943.

SUBJECT.

~~Amendment of section 82(2) of the Mysore City Municipalities Act 1933.~~

The Mysore City Municipalities (Third Amendment) Act 1943

To the Compiler Mysore Gazette.

MDRL 738 Legis 50-42-1 dated 22.1.43.

Directs the publication of _____ in the Gazette.

Venkatanarayana
12-3-43

17 L

Serial No.

From the Mil Commrs Bgre. thro' Dr
RO No 44-1387/39-40 Dy 27-6-41
Requests that necessary action
may be taken to amend section
82(3) of the Bangalore Mcpl Act 1926
so as to enable the Mcl to frame Byelaws
for levying a fee of anna one on
every export pass.

1) It is stated that a levy is in Vogue
in the C&M station Bangalore & that
a sum of Rs 500 pa is anticipated to
be realised by this levy
subd for orders.

MR
6/7 2) In the Mysore City Mcpl also, there
is a bylaw to that effect - i.e. that
a fee of one anna shall be
charged for every export pass granted
under rule 16 (iv) (vii)

Page 68 of the Rules Byelaws of the Mysore City Mcpl.

3) In the C&M station also there
is provision for charging one anna
on each export passes - vide bylaw
No 14 (2) - Page 30 of the
bylaws of the C&M Station, Mysore

4) The above whether some provision
may be adopted in Bluru City Mcpl Act
It is not clear whether the
City Mcpl Act 1933 should be
amended in this respect The

NOTE—Contn. Sheet.

867 pol 41

File No. of 194 | General and Revenue Secretariat

Serial No.

5) Law secretary may be consulted in this file

for
31.7.41 Asst Secy
Law (Revs) 31/7

31/7

Law 27 Pol 41
31st July 1941

6) 1) The file leading to G.O. No 3884/5/41-55-21-212 dated 25.9.32 referred to in the P.W.D. may please be placed before me for reference, & along with the

2) the Municipal accounts manual may also be sent.

Asst Secy
Law
Revs
16/8/41

8) Submd

9) The file referred to above is put up.

10) A Copy of the Municipal Accounts Manual Part II is also put up

19/8

for Asst Secy
Law (Revs) 19-8

19/8

Law 54/41
20th August 4

11) The Constitutions, ~~and~~ functions and powers of the Municipalities (Cities), of which the Bangalore City Municipality is one, are

Serial No.

derived from the City Municipalities Act, VII of 1933. The taxing powers of these municipalities is governed by section 64 which provides that any municipal Council, after observing the preliminary procedure required by section 65 and ~~vide~~ subject to such modifications or conditions as the Govt in according sanction may deem fit, may impose any one or more of the taxes enumerated in the section. A fee on export passes is not one of the items specified in the section nor could it be held to be implied in any of the items specified therein.

(2) Section 82 of the Act confers powers on the municipality to charge a fee, as distinct from ~~passes~~ taxes, eg, license and market fees. But this section again does not empower that body to levy a fee on ex-port passes. Sub-section (3) of section 82 provides that the municipal Council may charge such fees as may be fixed by by laws under clause (a) of sub-section (1) of section 51 for the use of any such places mentioned in that sub-section as belong to the Municipal Council. The places mentioned in that sub-section in respect of which the Municipal Council can make by-laws are markets, slaughter houses etc. A Bonded Warehouse is not one of the places specified in that section, and a fee of the kind proposed cannot therefore be ~~Cha~~ levied.

NOTE—Contn. Sheet.

(3) Items neither under the taxing

Serial No.

powers of the Municipality nor under its powers to impose fees, can the Municipality levy a fee on export passes.

14) The Municipal Council has therefore suggested that an amendment should be made in section 82 (9) by the addition of the words "any other fee with the previous sanction of Govt," so as to enable it to levy a fee on export passes. The amendment suggested however appears to be broad and general and capable of infinite expansion. It would be better that it should be made specific and to the purpose.

MKV 24/10

Law Secy)

15) The amendment is useful and steps may be taken to implement the same.

Minister L.S.G.)

Hm 31/10/41

MKV 31/10

VKG. 31.10.41

Hm 3/11/41

MKV 3/11

Asst Secy L.S.G. with Compts)

Hm 4/11/41

SECY. LAW DEPT. 24 OCT. 1941 GOVT OF MYSORE

OFFICE OF THE MINISTER FOR L. S. G. & P. H. Date 31-10-41 No. 2.S.S.3

GEN. & REV. SECRETARIAT - 6 NOV. 1941 L. S. G. BRANCH 2-S-38

Amendment of Sec 8 (3) of the Mysore Mills Act 1933 so as to enable the Govt to levy a cess of one anna on export taxes (Cocha

General and Revenue Secretariat — File No. 855/L of 1941 — [App. F. III-2

Serial No.

DEWAN'S OFFICE 8. APR. 1942 NO 8675

1) This is a Council matter and may be disposed of by circulation.

Dewan.

Hm 2 7/4/42 Law

Hm 7/4/42

2) For favour of circulation

Chief Secy w/c

Hm 2 10/4/42 Law

CHIEF SECRETARY 10. APR. 1942 GOVT. OF MYSORE

3) D. F. N. is put up.

Submitted with circulation memo

Hm 23/4 Law 23/4

Law Secy / Law 23/4/42

Hm 14/4/42

Hm 14/4

4) D. F. N. submitted

Minister I.S.G. / Hm 2 23.4.42 Law

SECY. LAW DEPT. 24 APR 1942 OFFICE OF THE MINISTER FOR I. S. G. & P. H. GOVT OF MYSORE Date 24.4.1942 No. 6646

5) Copies of signed F. N. are put up.

Hm 1.5.42

1.5.42

NOTE—Cont. Sheet.

WD 04155—GPB—55,000—23-10-41

For Disposal by Circulation. No. C. 884

1941-4

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject

Proposal to amend Section 82 (3) of the Mysore City Municipalities Act. 1933, so as to enable the Municipal Council to frame bye-laws for levying a fee on every export pass.

Circulated to the Council of Ministers.

By Order,

14/

Chief Secretary to Government.

---

34)

6124/15.4.42 **Minister for Finance and Revenue.** 16/4

35

10764/13/4.42 **Minister for Law.** 17-4-42

36) 17/4

5525/17.4.42 **Minister for Education.** 17.4.42

Minister for Local Self-Government and Public Health. (Seen)

37) Law Secy. (with compliments).

20/4

Hm. 2 21/4/42

D 7.N.M 21/4/42

FINAL NOTE BY THE MINISTER FOR LOCAL SELF-GOVERNMENT AND PUBLIC HEALTH.

Subject:-

Proposal to amend Section 82 (3) of the Mysore City Municipalities Act 1933.

38.

****

The Municipal Commissioner, Bangalore City, states that ever since the introduction of octroi on additional articles such as, artificial silk, kerosine oil, coffee and iron building materials which are imported in large quantities into the City but are immediately exported outside the Municipal limits, the work relating to the export section of the Octroi Office has considerably increased from 1954-55 necessitating the employment of additional staff and that the Municipal Council have proposed to levy a fee of one anna on every export pass as is being done in the Civil and Military Station so that the realisations of the fee estimated at Rs. 500/- may be utilised for the increased staff referred to above. Under the existing provisions of the City Municipalities Act, there is no scope for the Municipality to frame bye-laws for the above purpose and the Municipal Council have therefore resolved that Section 82 (3) of the City Municipalities Act viz.,

" The Municipal Council may also charge such fees as may be fixed by bye-laws under clause (a) of sub-section (1) of Section 51 for the use of any such places mentioned in that sub-section, as belong to the Municipal Council. "

may be amended by adding, at the end thereof, the words, " and any other fee with the previous sanction of Government, " so as to enable the Municipal Council to frame necessary bye-laws for levying a fee on every export pass. Though there is. in the Mysore City Municipality, a bye-law to the effect that a fee of one anna be charged for every export pass, the levy is not in operation for want of statutory provision. The Municipal Council Mysore who were consulted in the matter are also agreeable to the amendment of Section 82 (3) as proposed by the Bangalore City Municipal Council.

I consider that the proposed amendment is necessary and that sanction may be accorded to it. The Dewan and the other Ministers agree with me

and I solicit His Highness' gracious sanction to the proposal.

Bangalore
1st May 1942.

K. B. Gundappanavar

M I N I S T E R,
Local Self-Government and Public Health.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

40) Proposal to amend Section 82 (3) of the Mysore City Municipalities Act, 1933.

Order.

41)

3/5/'42.

General and Revenue

Secretariat.

C&M 1855/L

SUBJECT:—

Proposal to amend Section 82 (3) of the Mysore City Municipalities Act, 1933.

(*)

14. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

16. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

17. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Council of Ministers for perusal of His Highness' orders before/~~after~~ issue of orders. (*Vide* Rules 14, 16 and 17 of the Subsidiary Rules for the conduct of business of Council in the Mysore Government Business Rules.) (*)

M. S. Lakshmi 8/5

Chief Secretary to Government.

Through the Secretary to Government,

Law Department.

Hm 8/5/42

43) 6911 9-5-42 Minister for Finance and Revenue. Nil 10/5

44) 11645 11/5 Minister for Law. Hm 12/5

45) Minister for Education. (on tour)

46) 6998 8.5.42 Minister for Local Self-Govt. and Public Health. Vac. 9.5.42

47) Law Secy with compts) Hm 2 13/5/42 Hm 12/5/42

NOTE.—Contn. sheet

Hm 12/5

WD 06360—GPB—500—23-3-42

Serial No.

48) Sd/- Sd/- appd, this will be sent to the Legislature section for taking necessary further action

Asst Leg. Legis Br WC) for 15/5/42

15/5

15/5

BXR 16.5.42

49) A draft Bill and a draft St. of Principles are put up for Consideration.

Under 8a (3) of the City Municipalities Act which is sought to be amended, such fees may be charged as are levied by bye laws under 51 (1) (a). This subsection 51 (1) requires the previous sanction of Govt before a Council Could make bye laws. Hence the expression "with the previous sanction of Government" suggested in the draft of the Municipal Councils Bangalore City and accepted by the administration section has been omitted as superfluous.

50) It is for orders if this Bill has to be placed before the RA in June. The last date for despatch of Copies to Members of RA is the 21st instant before which the Bill has to be translated into Kannada

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

Municipalities (amt) Bill. (Section 82).

File N- 1188/42 of 194 | General and Revenue Secretariat

Serial No.

and Copies printed in English and Kannada.

Sd/-
19.5.42

Secy (RA Sec)

51) Maybe placed before the Council

BKR
19.5.42

Law Secy)

GEOY. LAW DEPT. 45-30 GOVT OF MYSORE

52) Minister for L.S.G. Minister for Law Dewan

Ans 19-5-42

BKR 20.5.42

OFFICE OF THE MINISTER FOR L. S. G. & P. H. Date 20.5.1942 No. 7323

53) H.G. 21.5.42

54) Bz 21/5

55) Nil

22/5/42

Ans 2-5-42

56) Please take immediate action.

Sd/-
21.5.42

57) The Mysore city Municipalities (third Amendment) Bill was placed before the R.A. on the 15th October and approved by the House

Submitted for consideration if the Bill may be published under orders of the Dewan under Rule 36 of the Mysore Legislative Rules 1941 in which case it will not be necessary to move for leave to introduce

The Mysore City Municipalities (Third Amendment) Bill

General and Revenue Secretariat
R. A. & L. C.

File No. 242/41 of 194 [App. F. III–2

Serial No.

The Bill in the ensuing Session of the
... The Statement of principles will be
adopted as the Statement of objects
and Reasons

W.
7/10/42

58) Permission is solicited for
the publication, as Bills under rule 36.
" St. of principles of the Bills
will be adopted as the St. of objects and
Reasons

Secy
RA & LC)

2
3-11-42

BKR
3-11-42

Law Secy)

59) May be published

Dewan

Cus
5-11-42

BKR
5-11-42

60) Nil
8/11/42

Cus
10-11-42

BKR
10-11-42

11-11-42

61)
A draft Notification is submitted for approval

W.
11-11

DEPUTY OFFICE
6. NOV. 1942
No. 3591

SECY. LAW DEPT.
4715
5 NOV 1942
GOVT OF MYSORE

M.V.T.V.
10-11-42

NOTE—Contn. Sheet

The Mysore City Municipalities (Amendment &) Bill

File N 242/N of 194

General and Revenue Secretariat
R. A. & L. C.

Serial No.

The compiler, Mysore Gazette

Issued No 555 RL - Legis 26 42-5 dated 11/12th Nov 1942 — Directs the publication of the Bill in the Gazette under rule 36 of the Mysore Legislative Rules

62) The Bill will not require sending to a Select Committee

63) No following motions are suggested for the L.C. in the name of the Minister for L.S.G.

1. to introduce the Bill.
2. to move that the Bill be taken into Consideration by the Council at once [without reference to a Select Committee]
3. to move that the Bill be passed

Sdn
12.11.42

Secy
RA 12/

BKR
13.11.42

Law Secy

Cus
13-11-42

BKR
13.11.42

Minister L.S.G.

BKR)

Cus
13

BKR
14.11.42

Sdn

SECY. LAW DEPT. (SDA) 13.11.1942 GOVT OF MYSORE

OFFICE OF THE MINISTER FOR L. S. G. & P. H.
Date 13.11.42
No. 3854

The Mysore city Municipalities (Third Amendment) Bill

General and Revenue Secretariat
R. A. & L. C.

File No. 242 | RL of 194

[App. F. III–2

Serial No.	
65	The Bill was introduced in the Legislative Council at its Recent Session on 10-12-42 and passed by it. A copy of the Bill as passed has been signed by the president and is submitted herewith.
5217	A.D.N. is also put up for consideration.
	W 23-12-42
	BKR 23.12.42
	Law Secy.
	D.N. is submitted
	24-12-42
	Secy. to L.S.G.
	3.1.43.
	Two Copies of signed D.N. put up.
	RN 6.1.43
	D.N. is submitted
	7-1-43
	Dewan
	BKR 7.1.43

SECY. LAW DEPT. 7229 GOVT OF MYSORE

OFFICE OF THE MINISTER FOR L.S.G. & P.H. Date 6.1.43 No. 5047

NOTE—Contn. Sheet

FINAL NOTE BY THE MINISTER FOR LOCAL SELF-GOVERNMENT AND PUBLIC HEALTH.

Subject:—

The Mysore City Municipalities (Third Amendment) Bill.

On 3rd May 1942, His Highness was graciously pleased to approve of the proposal to amend Section 82(3) of the Mysore City Municipalities Act for the purpose of empowering the Municipal Councils to levy a certain fee on every Export Pass issued by them.

The statement of general principles of the Bill drafted for this purpose was placed before the Representative Assembly in October 1942 and approved by the Assembly unanimously. The Bill was thereafter introduced in the Legislative Council during its recent session and was passed by it.

Paras 57 to 65 of notes

Copy of the Bill as passed by the Council and signed by the President under Order 44 of the Mysore Legislative Council Standing Orders, is submitted herewith.

I, now, solicit the gracious sanction of His Highness to promulgate the Bill into law.

M I N I S T E R,
Local Self-Government & Public Health.

Camp Challekere,
6th January 1943.

Submitted to His Highness.

I submit herewith a Final Note by the Minister for Local Self-Government and Public Health on the subject of the promulgation into law of the Mysore City Municipalities (Third Amendment) Bill, for His Highness's gracious sanction.

N Madhava Rau

D E W A N .

Bangalore,

th January 1943.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Promulgation into law of the Mysore City Municipalities (Third Amendment) Bill.

Order.

12/1/43

Chief Sec
Rec
13/11

c 639. 242/M

General and Revenue

Secretariat.

SUBJECT:—

Promulgation into law of the Mysore City Municipalities (Third Amendment) Bill.

(*)

14. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

16. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

17. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders

Circulated to Council of Ministers for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 14, 16 and 17 of the Subsidiary Rules of the Mysore Government Business Rules.) (*)

15/1.

Chief Secretary to Government.

Through the Secretary to Government,

Law .....Department.

15-1-43

5768
16.1.43

Minister for Finance and Revenue. 18/1

6244
18.1

Minister for Law. 18/1

Minister for Education. Con leave,

5639
15.1.43

Minister for Local Self-Govt. and Public Health.

Law Sec 15.1.43

18/1

19-1-43

NOTE.—Contn. sheet

OFFICE OF THE SECRETARY
M.L.A.
10 JUN 1943
REPRESENTATIVE ASSEMBLY
&
LEGISLATIVE COUNCIL

WD 0718—GPB—1,000—11-9-42

19.1.43

19.1

The Mysore City Municipalities (Third Amendment) Act 1943

General and Revenue Secretariat
R. A. & L. C.

File No. 242/RL of 194 [App. F. III–2

Serial No.

The gracious assent of His Highness the Maharaja was accorded on 12-1-43 to promulgate the Bill into law

A draft G. O. directing publication of the Act as Act No IX of 1943 is submitted for approval.

DN 20-1-43 Secy (AR-LC) DN 20-1-43

BKR 20-1-43 Law Secy

CWS 22-1-43

DS/RW BKR 21-1-43

The complete Mysore Gazette No RL 738- Legis 50-42-1 dated 22-1-43 directing publication of the Act in the Gazette. The Act has been published in part IV of the Gazette dated 28-1-43.

A printed copy of the Act is put up herewith. If approved, the file will be got recorded

DN 1-3-43 DN 1.3.43

A

DN 1/3

SECY. LAW DEPT. 8670 21-1-43 GOVT OF MYSORE

OFFICE OF THE SECRETARY 1 ... 343 REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL

NOTE—Contn. Sheet

Legi 26-42-1

17/2

BANGALORE CITY MUNICIPALITY.

No. A4. 1357/39-40.

MUNICIPAL OFFICES,

Bangalore 27th June 1941.

SECY. LAW DEPT. 30 JUNE 1941 GOVT OF MYSORE

Enclosure Two.

From

S. NARAYANA RAO, ESQ., M.A. (HONS.),
MUNICIPAL COMMISSIONER,
BANGALORE CITY.

GEN. & REV. SECRETARIAT, 30 JUNE 1941 L. S. G. BRANCH.

To

H.V. Narayana Rao, Esq., B.A., LL.B.
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
LAW DEPARTMENT, BANGALORE.

SIR,

I have the honour to state that ever since the introduction of levy of octroi on additional articles such as artificial silk, Kerosine oil, cement and iron building materials, etc., which are largely exported to the places outside the limits of this Municipality, the export work has increased considerably from 1934-35. On an average, about 25 export passes are being issued per day which will have to be sent with the Peons to the various Ookads situated at the outskirts of the City at a distance of nearly 2 to 3 miles. It has thus been extremely difficult to cope with this work with the existing menial staff of the Octroi Office. In view of the increase of the export work and revenue derived from the levy of octroi on the above-mentioned additional articles, it is absolutely necessary to increase the strength of the peons. Further, the services of the Municipal peons are rendered free [illegible]s in C & M Station a fee of one a[illegible] being recovered on each pass. If the same procedure is adopted in this Municipality also, the Municipality would be deriving an income of nearly Rs. 500/- per annum, which can be utilised for meeting the extra expenditure proposed consequent on the reorganisation of the Octroi Department (vide my letter No. A1. 289/39-40 dated 23rd January 1941). In the year 1921, on a reference made to

Government by the Comptroller in his letter No. 92-3/576-D.A.D. dated 16th August 1921, bringing to the notice of Government that in accordance with the provisions contained in rules 163 & 164 of the Municipal Accounts Manual, any person who had deposited in the Bonded warehouse of a Municipality might export the same on obtaining an export pass on payment of one anna on every free export pass and that as per proviso to Rule 164, a fee of one anna was required to be charged for every cart which was not in accordance with octroi bye-law No. 16 of this Municipality and as the rule was not clear - on the point of affecting the revenues, requested for its amendment suitably, so as to be in conformity with the rules of the Municipal Accounts Manual. The levy was thought in Government Order No. -- 3884-5/M1. 55-21-212 dated 25th November 1932 as unauthorised, as there was no provision to the effect in the Mysore Municipal Regulation and hence it was ordered to be discontinued at once, necessary steps being taken to amend the octroi bye-laws. A proposal - to get the words "any other fee with the previous sanction of Government" inserted at the end of sub section (3) of Section 82 of the Mysore City Municipalities Act was placed before the Bye-law Committee who, at their meeting held on 25th March 1941, resolved that Government be requested to amend the said section suitably, so as to enable the framing of valid bye-laws for levying the fee in question. This was also approved by the Council on 18th April 1941. I request that necessary further action may be kindly taken in the matter. Copies of the resolutions referred to above are also enclosed for favour of reference.

I have the honour to be,
Sir,
Your most obedient servant,

Forwarded with compliments,

Honorary President.

Municipal Commissioner.

kas/

PROCEEDINGS OF THE BYE-LAW COMMITTEE MEETING

DATED 25TH MARCH 1941.

Subject No. 8.-

In the matter of amending Sec. 82(3) of the Municipal Act for enabling the levy of fee of ~~xx~~ one anna on every free export pass.

The Government of Mysore may be requested to get section 82 of the City Municipalities Act suitably amended by the Legislature, so as to enable the Municipal Council to frame valid bye-laws for levying the fee in question.

Sd: L.S. Raju,

Chairman.

"Copy"

S. Narasimhan

Municipal Commissioner

MADE IN NORWAY
JAMES BOND 007

kas/

31/40

Minutes of the Proceedings of the Ordinary General Meeting of the City Municipal Council, Bangalore, held on Friday the 18th April 1941 at 8 A.M. in the Council Chamber of the City Municipal Offices, Bangalore.

—:oOo:—

Present

W. H. Hanumanthappa, Esqr.,
Honorary President.

1. Mr.V.K.Govindarajulu,B.A.,B.L.
2. " N.Kesaviengar,B.A.,B.L.
3. " Ramalal Thiwari
4. " L.S.Raju,M.A.'Hons),B.L.
5. " V.Venkataramanappa
6. " G. Nanjappa
7. " K.Hanumanthiah,B.A.,LL.B.
8. " T. Gangadharaswamy
9. " B. Narasimhiah
10. " V. Venkataswami Chetty
11. " K. Ganga Setty
12. " K.N.Ramaswami,B.A.
13. Mr.K.Shamarajaiengar,B.A.
14. " C.N.Narasinga Rao,B.A.,B.L.
15. " H.R.Guruv Reddy,B.A.,LL.B.
16. " M.A.Gopalaswami Iyengar, M.A.,LL.B.
17. " M.R.Honnappa,B.A.,B.L.
18. " M.K.Narayana Iyengar,B.A.,B.L
19. " H.C.Suryanarayana Rao
20. " B.Subbiah,B.Sc.,LL.B.
21. " O.S.Nasarulla Sheriff, M.A.,LL.B.
22. " Mirza M.Azizulla Beig
23. " S.N.M. Razvi
24. Dr.R M. Royan,M.B.
25. Mr.V. Chikkayellappa

Absent

1. Mr. R. Subbanna
2. " A.Madhava Iyengar,B.A.
3. Mr. Kota Kamakshiah Setty
4. " A.J.Khaleel.B.A.,B.L.

PROCEEDINGS OF THE MEETING OF THE MUNICIPAL COUNCIL
BANGALORE CITY DATED 18/4/1941.

Subject No. 19.-

Opinion of the Bye-law Committee meeting dated 25th March 1941 that Government be requested to get Section 82 of the City Municipalites Act suitably amended so as to enable the Municipal Council to frame valid bye-laws for levying the fee of one anna on every free export pass.

Resolution:

A p p r o v e d.

Sd: W.H. Hanumanthappa,
Honorary President.

MADELEN NORWAY
"Copy"

Municipal Commissioner.

Legis 26.42-2

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. L5808/E 2 : one only *Dated, Bangalore.* 8th January 1942.

FROM

The Secretary to the Government of His Highness
the Maharaja of Mysore.
Law Department.

To

The President,

City Municipal Council, Mysore.

Sir,

I am directed to forward herewith a copy of letter No.A.4.1557/39-40 dated 27th June 1941 received from the Municipal Commissioner, Bangalore City, proposing the amendment of section 82(3) of the Mysore City Municipalities Act 1933 so as to enable the City Municipal Council to frame bye-laws for levying a fee of anna one on every export pass, etc., and to request you to be so good as to obtain and forward the opinion of the City Municipal Council in the matter of the said amendment of the Act.

I have the honour to be,

Sir,

Your most obedient servant,

(Draft) for Secretary to Government,
Law Department.

Aga/2.

Legi 26-42-2

Appendix F G—1]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

)

the *19*

Date of issue... 8th Jan 42

Signed by T.S. Krishnaswamy Iyengar

for Secy

Section

File No.

Serial No.

No. 5808/E ur arc dy

To

The Dch, Ciff mlcl, Mysore

Sir,

I am directed to forward herewith a copy of letter No. A4. 1357/39-40 dt 27-6-1941 recd. from the mil Comm, Bcif ~~requesting that necessary action may be taken to~~ for the amendment of section 82(3) of the Mysore ciff melties Act 1933 so as to enable the ciff mlcl to ~~f~~ laws for levying a fee of anna one on every export pass etc., and to request you to be so good as to

List of enclosures.....

Copied by .....

Examined by .....

obtain & forward the opinion
of the Crown Counsel in the matter of the said Amendment of the Act

I have etc

Director of Prosecutions

Law Dept

27/12

27/12

Legis 26-42-3 4732/L

No. G.T. 1863

Encl.

14.2.42

OFFICE OF THE PRESIDENT,
CITY MUNICIPAL COUNCIL, MYSORE.

Date 12th February 1942.

From

B. S. Raghavendra Rao, Esq., M.A.(Hons)
[illegible]
PRESIDENT, CITY MUNICIPAL COUNCIL,
MYSORE.

SECY. LAW DEPT. 16 FEB 1942 GOVT OF MYSORE

G.S.S. BRANCH. 16 FEB 1942

To

V. Narayana Rao, Esq., B.A.,LL.B.,
Secretary to Government, Law Department,
BANGALORE.

Sir,

Re: Amending Sec.82(3) of the Mysore City Municipalities Act

With reference to your letter No.L.5808 dated 8th January 1942 re: the above, I have the honor to state that the subject placed before the Managing Committee on 19th January 1942 was deferred, for want of certain information. It will be placed before the committee again on 16th instant and after obtaining the opinion of the Council thereon, a reply will be sent to you.

I have the honour to be,
Sir,
Your most obedient servant,

Submit for perusal.
Receipt of further reply will be awaited
SR. 18/2 18/2

Yes Letter 18/2

B Raghavendra Rao
PRESIDENT. 18/2

26-42-4 5855/L

OFFICE OF THE PRESIDENT,
CITY MUNICIPAL COUNCIL, MYSORE.

No. G.T. 2311/E 1940

Dated 30th March 1942

GEN. & REV. SECRETA... 1 APR. 1942 L. S. G. BR...

From

B. S. Raghavendra Rao, Esq., M.A., (Hons.)
~~M. NAVANEETHAM NAIDU, ESQ., B.A., B.L.~~

PRESIDENT, CITY MUNICIPAL COUNCIL,
MYSORE.

SECY. LAW DEPT. 1 JUN 1942 GOVT. OF MYSORE

To

H. V. Narayana Rao, Esq., B.A., LL.B.,
Secretary to the Government of Mysore
Law Department, Bangalore.

Sir,

Amendment of Section 82 (3) of the Mysore City Municipalities Act 1933 to frame bye-laws for levying a fee of one anna on every export pass et

---

With reference to your letter No.L. 5808 dated 8th anuary 1942 and in continuation of this office letter No.G.T. 1863 dated 14th February 1942 regarding the above, I have the honour to state that the subject was placed before the Managing Committee at its meeting held on 16th February 1942 and the suggestion was approved by the Committee and the Municipal Council at its meeting held on 28th February 1942 approved of the Managing Committee's resolution. Copies of the proceedings of the Committee and the Council are enclosed herewith.

2. In this connection I wish to state that the Bye-laws of the Mysore City Municipal Council provide for the levy of ~~the~~ fee vide para 2 of rule 16 Chapter XI of the Bye-laws. Apparently the levy has been discontinued in accordance with the Government Order No.3884-5/Ml.55-21-212 dated 25th November 1922. With the proposed amendment of Section 82 (3) of the Act the levy will be enforced.

3. On an average about 8000 export passes are issued per year in this Municipality and by the levy of the fee of one anna on each export pass, the income will be Rs 500/-. In view

of

of the Council resolution, I request you kindly to obtain sanction of Government to the proposed amendment.

I have the honour to be,

Sir,

Your most obedient servant,

President.

NRS

Proceedings of the Managing Committee Meeting of the Mysore City Municipal Council, held on 16th February 1942 at the Municipal Office at 4 P.M.

Deferred Subject No. 170.

Letter No.L. 5808 dated 8th January 1942 received from the Secretary to Government, Law Department forwarding copy of letter No.A4. 1357/39-40 dated 27th June 1941 received from the Municipal Commissioner, Bangalore City proposing the amendment of Section 82(3) of the Mysore City Municipalities Act 1933 so as to enable the Municipal Council to frame Bye-laws for levying a fee of anna one on every export pass etc., with a request to send the opinion of the Municipal Council in the matter of the said amendment of the Act.

Resolution.-

"The suggestion may be approved."

Sd/- B. S. Raghavendra Rao,
President.

"Copy"

B. Raghavendra Rao

PRESIDENT,
CITY MUNICIPAL COUN
MYSORE.

NRS

MYSORE CITY MUNICIPALITY

Proceedings of the Ordinary General Meeting of the Mysore City Municipal Council held in the Municipal Office on Saturday the 28th February 1942, at 4 p.m.

PRESENT

B. S. Raghavendra Rao, Esq., M.A. (Hons.) *President.*

2. P. Sitaramiah, Esq., B.A., B.L., *Vice-President.*
3. S. Linganna, Esq.
4. U. L. Ramachandra Rao, Esq.
5. M. K. Linganna, Esq., B.A., LL.B.
6. A. Krishna Murty, Esq.
7. T. Narasimha Iyengar, Esq., B.A., B.L
8. A. N. Suryanarayana Rao, Esq.
9. Mrs. B. Kameswaramma, B.A.
10. Agaram Rangiah, Esq.
11. B. Narayanaswamy, Esq., B.A., B.L.
12. T. Mariappa, Esq., B.A., LL.B.
13. M. V. Venkataramiah, Esq.
14. M. S. Nanjappa, Esq.
15. G. R. Rangaswamiah, Esq.
16. E. P. Nanjappa, Esq.
17. G. Janardan Naidu, Esq.
18. Patnam Sreenivasasetty, Esq.
19. M. R. C. Basappa, Esq.
20. T. Venkataramaniah, Esq.
21. T. S. Alikhan, Esq.
22. Mahomed Khalilulla, Esq., M.A., LL.B.
23. S. A. Kareem, Esq.
24. F. C. Devaraja Urs., Esq.

ABSENT

25. Chowdiah, Esq.
26. M. C. Mallappa, Esq.
27. C. S. Dixit, Esq., B.A., LL.B.
28. N. Rajagopala Iyengar, Esq., B.A., B.L.
29. Dr. A. J. Ram, L. M. & S.
30. Haji Mir Amiruddin Khuraichi, Esq
31. B. L. Maridandiah, Esq.

350. Managing Committee's resolution No.170 dated 16th February 942, recommending approval to the suggestion contained in Law ecretary's letter No.L. 5808 dated 8-1-1942, forwarding copy of l received from the Municipal Commissioner, Bangalore City, proposin the amendment of Section (82) 3 of the Mysore City Municipalities 1933 so as to enable the Municipal Council to frame bye-laws for levying a fee of anna one on every export pass etc.

Resolution:-

Approved.

B. S. Raghavendra Rao
President.

"Extract"

Raghavendra Rao
Presid...

NOTE FOR CIRCULATION.

In his letter No.A4.1357/39-40, dated 27th June 1941. the Municipal Commr., Bangalore City, brought to notice that since the introduction of Octroi on additional articles such as artificial Silk, Kerosine Oil, Coffee and Iron building materials which are imported in large quantities into the City but are immediately exported outside the Municipal limits, the export work in the Octroi office has increased considerably from the year 1934-35, with the result that it has been found difficult for the existing menial staff cope with the increase. 25 export passes are issued everyday which means considerable work to the existing staff of peons. It is therefore proposed to increase the number of peons. Till now, the services of peons were rendered free, whereas in the C & M Station, a fee of one anna is being recovered on every export pas It is proposed to introduce the same system here also. Hence the Municipal Council have suggested that Section 82 (3) of the Mysore City Municipalities Act, 1933, be amended to enable the Municipal Council to frame bye-laws for levying a fee of one anna on every export pass.

In the Mysore City Municipality also, there is a bye-law that a fee of one anna be charged for every export pass granted, though the levy is not in force.

In the Civil and Military Station, Bangalore, there is a like provision and the levy is obtaining.

The levy suggested by the Municipality is a wholesome one.

The Mysore City Municipality was also consulted on the suggestion of the Bangalore City Municipal Council. The former have agreed to the proposed amendment

It is accordingly proposed to amend Section 82 (3) by adding at the end thereof, the words "any other fee with the previous sanction of Government"

The Dewan is agreeable to the proposal which i circulated to the other Ministers of Council

MYSORE CITY MUNICIPALITIES (AMENDMENT) BILL.

Statement of Principles.

Sub-section (3) of section 82 of the Mysore City Municipalities Act limits the power of a Municipal Council to charge fees to places which have been specified in sub-section (1) of section 51. The Bangalore City Municipal Council has represented that the work of issuing the export passes for certain articles has been increasing considerably and involves the free services of Municipal staff. The Council has therefore recommended that Municipal Councils should be empowered to levy a fee of atleast one anna on every export pass issued by it. Government also consider it desirable that the power to levy such a fee should be available under the City Municipalities Act. The present amendment seeks to give effect to this proposal.

First

THE MYSORE CITY MUNICIPALITIES (Amendment) B I L L.

WHEREAS it is expedient further to amend the Mysore City Municipalities Act, 1933;

It is hereby enacted as follows:-

1. (i) This Act may be called the Mysore City Municipalities (First amendment) Act, 194

(ii) It shall come into force at once.

2. In sub-section (3) of section 82 of the Mysore City Municipalities Act, 1933:-

(i) the word "either" shall be inserted between the words "bye-laws" and "under" ; an

(ii) the following words shall be added at the end, namely:-

"or for any other purpose relating ~~connected~~ ~~with the~~ to municipal administration"

Bs.

12. THE MYSORE CITY MUNICIPALITIES (THIRD AMENDMENT) BILL

Statement of Principles.

Sub-section (3) of section 82 of the Mysore City Municipalities Act limits the power of a Municipal Council to charge fees to places which have been specified in sub-section (1) of section 51. The Bangalore City Municipal Council has represented that the work of issuing the export passes for certain articles has been increasing considerably and involves the free services of Municipal staff. The Council has therefore recommended that Municipal Councils should be empowered to levy a fee of at least one anna on every export pass issued by it. Government also consider it desirable that the power to levy such a fee should be available under the City Municipalities Act. The present amendment seeks to give effect to this proposal.

THE MYSORE CITY MUNICIPALITIES (THIRD AMENDMENT) BILL.

WHEREAS it is expedient further to amend the Mysore City Municipalities Act, 1933;

It is hereby enacted as follows:—

1. (i) This act may be called the Mysore City Municipalities (Third Amendment) Act, 194

(ii) It shall come into force at once.

2. In sub-section (3) of section 82 of the Mysore City Municipalities Act, 1933 —

(i) the word "either" shall be inserted between the words "bye-laws" and "under"; and

(ii) the following words shall be added at the end, namely—

"or for any other purpose relating to Municipal administration."

Fair copy

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. 535 (RL) Legis 26-42-5 General and Revenue Secretariat,

Dated Bangalore, 11th/12th November 1942.

NOTIFICATION.

Under the provisions of rule 36 of the Mysore Legislative Rules, 1941, the Dewan has been pleased to order the publication in the Gazette of the accompanying Mysore City Municipalities (Third Amendment) Bill together with the Statement of Objects and Reasons.

By Order,

BKR

Jr Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette and supply of 350 copies to the Secretariat.

Copy to the Translation Section.

12. THE MYSORE CITY MUNICIPALITIES (THIRD AMENDMENT) BILL.

Statement of objects and Reasons

~~Statement of Principles.~~

Sub-section (3) of section 82 of the Mysore City Municipalities Act limits the power of a Municipal Council to charge fees to places which have been specified in sub-section (1) of section 51. The Bangalore City Municipal Council has represented that the work of issuing the export passes for certain articles has been increasing considerably and involves the free services of Municipal staff. The Council has therefore recommended that Municipal Councils should be empowered to levy a fee of at least one anna on every export pass issued by it. Government also consider it desirable that the power to levy such a fee should be available under the City Municipalities Act. The present amendment seeks to give effect to this proposal.

THE MYSORE CITY MUNICIPALITIES (THIRD AMENDMENT) BILL.

WHEREAS it is expedient further to amend the Mysore City Municipalities Act, 1933 ;

It is hereby enacted as follows :—

Short title and commencement

1. (i) This act may be called the Mysore City Municipalities (Third Amendment) Act, 194

(ii) It shall come into force at once.

Amendment of Section 82, Act VII of 1933

2. In sub-section (3) of section 82 of the Mysore City Municipalities Act, 1933 —

(i) the word " either " shall be inserted between the words " bye-laws " and " under " ; and

(ii) the following words shall be added at the end, namely—

" or for any other purpose relating to Municipal administration."

THE MYSORE CITY MUNICIPALITIES (THIRD AMENDMENT) BILL.

As passed by the Legislative Council.

WHEREAS it is expedient further to amend the Mysore City Municipalities Act, 1933;

It is hereby enacted as follows:—

Short title and commencement.

1. (i) This act may be called the Mysore City Municipalities (Third Amendment) Act, 194 ..

(ii) It shall come into force at once.

Amendment of Section 82, Act VII of 1933.

2. In sub-section (3) of section 82 of the Mysore City Municipalities Act, 1933 —

(i) the word "either" shall be inserted between the words "bye-laws" and "under"; and

(ii) the following words shall be added at the end, namely—

"or for any other purpose relating to Municipal administration."

D. H. Chandrasekharaiya 16/12

PRESIDENT
Legislative Council.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Order No. Legis 50 49-42-1 Dated, Bangalore, 12th Jan 1943

Ordered that the accompanying Mysore city Municipalities (Third Amendment) Act 1943

which received the assent of His Highness the Maharaja, on the 12th day of January 1943, be published as Act No. IX of 1943, in the *Mysore Gazette*, for general information.

20-1-43 — 21/1/43

~~General~~ Secretary to Government.
Law Depart

To

(1) The Compiler, *Mysore Gazette*, for publication in Part IV of the Gazette, in English and Kannada and for supply of spare copies in English and Kannada, as per standing orders.

(2) Copy to the Translation Section

Fair copy

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Order No. RL.38..../Legis. 50-42-1

Dated, BANGALORE, ~~20th~~ 22nd January 1943.

Ordered that the accompanying Mysore City Municipalities (Third Amendment) Act, 1943, which received the assent of His Highness the Maharaja on the 12th day of January, 1943, be published as Act No. IX of 1943, in the Mysore Gazette, for general information.

Sd/- [illegible]
Jr Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette, in English and Kannada and for supply of spare copies in English and Kannada, as per standing orders.

Copy forwarded to the Translation Section

PR3

As passed by the Legislative Council

Act No VIII 1943

THE MYSORE CITY MUNICIPALITIES (THIRD AMENDMENT) ~~BILL~~ Act 1943

(Received the assent of His Highness the Maharaja on the 7th day of Jan 1943)

WHEREAS it is expedient further to amend the Mysore City Municipalities Act, 1933;

It is hereby enacted as follows:—

Short title and commencement.

1. (i) This act may be called the Mysore City Municipalities (Third Amendment) Act, 194 3

(ii) It shall come into force at once.

Amendment of Section 82, Act VII of 1933.

2. In sub-section (3) of section 82 of the Mysore City Municipalities Act, 1933 —

(i) the word "either" shall be inserted between the words "bye-laws" and "under"; and

(ii) the following words shall be added at the end, namely—

"or for any other purpose relating to Municipal administration."

(Sd) N. Madhava Rau
Dewan

NOTIFICATION.

Order No. Rl. 738—Legis. 50-42-1, dated Bangalore, the 22nd January 1943.

Ordered that the accompanying 'Mysore City Municipalities (Third Amendment) Act, 1943', which received the assent of His Highness the Maharaja on the 12th day of January 1943, be published as Act IX of 1943, in the *Mysore Gazette*, for general information.

C. NARAYANASWAMY NAIDU,
Secretary to Government,
Law Department.

ACT No. IX OF 1943.

THE MYSORE CITY MUNICIPALITIES (THIRD AMENDMENT) ACT, 1943.

(Received the assent of His Highness the Maharaja on the Twelfth Day of January 1943.)

WHEREAS it is expedient further to amend the Mysore City Municipalities Act, 1933;

It is hereby enacted as follows:—

1. (i) This act may be called the Mysore City Municipalities (Third Amendment) Act, 1943. Short title and commencement.

(ii) It shall come into force at once.

2. In sub-section (3) of section 82 of the Mysore City Municipalities Act, 1933 — Amendment of Section 82, Act VII of 1933.

(i) the word "either" shall be inserted between the words "bye-laws" and "under"; and

(ii) the following words shall be added at the end, namely—

"or for any other purpose relating to municipal administration."

N. MADHAVA RAU,
Dewan.

Price: 0-0-3.

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